

FORM PTO-1390
(REV. 01-2003)

US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
126550

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
New U.S. National Stage of PCT/IB2004/02203

INTERNATIONAL APPLICATION NO.
PCT/IB2004/02203

INTERNATIONAL FILING DATE
July 3, 2004

PRIORITY DATE CLAIMED
July 4, 2003

TITLE OF INVENTION
AN IMPROVED PROCESS FOR THE PREPARATION OF CEFDITOREN

APPLICANTS FOR DO/EO/US

Kumar Sahoo PRABHAT; Anandam VEMPALI; Sivakumaran SUNDARAVADIVELAN; Nagesh Ganesh PRAVEEN; Manikrao Waghmare VITTAL; Balawant Deshpande PANDURANG; Kumar Luthra PARVEN and Ramesh Sathe PRATIK

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 - c. ☐ The International Application was filed in English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An submission of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other - Copy of Original Request Form PCT/RO/101; Submission of Declaration

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) New U.S. National Stage of PCT/IB2004/02203		INTERNATIONAL APPLICATION NO. PCT/IB2004/02203		ATTORNEY'S DOCKET NUMBER 126550	
21. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)): \$ 300.00				\$	
SEARCH FEE (37 CFR 1.492(b)(1)-(3)):				\$	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00					
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA..... \$ 100.00					
International search report provided to USPTO no later than the time at which the search fee is paid \$ 400.00					
All situations not provided for above \$ 500.00					
EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):				\$	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00					
All situations not provided for above \$ 200.00					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
TOTAL PAGES OF APPLICATION OVER 100 (- 100)	+ 50	= †	x 250 =	\$	
†round up to next integer					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
TOTAL CLAIMS	- 20	=	x 50.00 =	\$	
INDEPENDENT CLAIMS	- 3	=	x 200.00 =	\$	
MULTIPLE DEPENDENT CLAIM(S)(if applicable)			+ 360.00 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Check No. _____ in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944					
Date <u>January 11, 2006</u>				NAME: <u>James A. Oliff</u> REGISTRATION NUMBER: <u>27,075</u> NAME: <u>Joel S. Armstrong</u> REGISTRATION NUMBER: <u>36,430</u>	

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All situations not provided for above..... \$ 500.00					
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†round up to next integer					
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INDEPENDENT CLAIMS	- 3	=	x 200.00 =	\$	
MULTIPLE DEPENDENT CLAIM(S)(if applicable)			+ 360.00 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
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TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Check No. _____ in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
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Date <u>January 11, 2006</u>		NAME: <u>James A. Oliff</u> REGISTRATION NUMBER: <u>27,075</u> NAME: <u>Joel S. Armstrong</u> REGISTRATION NUMBER: <u>36,430</u>			

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kumar Sahoo PRABHAT et al.

Application No. New U.S. National Stage of PCT/IB2004/002203

Filed: January 4, 2006

Docket No.: 126550

For: AN IMPROVED PROCESS FOR THE PREPARATION OF CEFEDITOREN

SUBMISSION OF DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith as part of the original Request (Form PCT/RO/101) is an executed Declaration of Inventorship of the inventors. Entry of these documents should complete all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Official Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

Because it is believed that the Request with included executed Declaration of Inventorship of the inventors was already forwarded to the U.S. Patent and Trademark Office by the International Bureau, it is believed that the Declaration was already received by the U.S. Patent and Trademark Office prior to the 30-month due date, and thus no late Declaration surcharge is due. However, the Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA
Date: January 11, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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